



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3000 MARINE CORPS PENTAGON
WASHINGTON, DC 20350-3000

IN REPLY REFER TO:

5720

ARSF-F1/11U100437

JUN - 3 2011

MR JASON SMATHERS
MUCKROCK
185 BEACON ST #3
SOMERVILLE MA 02143

Dear Mr. Smathers:

SUBJECT: FILE NUMBER HQMC-201100425

This refers to your May 7, 2011, Freedom of Information Act (FOIA) request, in which you seek to obtain a copy of the April 2011 CMC Monthly report; and follows up my letter to you of May 13, 2011, whereby I acknowledged receipt of your request.

Please be advised that, despite diligent efforts, we are unable to provide you a final determination on your request within the 20 working-day statutory time frame established by the FOIA because of a need to search for and collect records that are located in whole or in part at places which are physically separate from the office processing the request. Your initial due date is June 7, 2011. Accordingly, I find that we must invoke the ten-additional-working day extension provision established under 5 U.S.C. § 552(a)(6)(B)(iii) and Department of the Navy regulations published at 32 C.F.R. § 701.8(g)(2). The new date for providing you a substantive response to your request is June 21, 2011.

Because this date is beyond the 20 working day time limit of the FOIA, I must inform you of your right to appeal to the Judge Advocate General of the Navy (Code 14), 1322 Patterson Avenue SE, Suite 3000, Washington Navy Yard, DC 20374-5066. Your appeal must be postmarked within 60 calendar days from the date of this letter to be considered and should include a copy of your initial request letter plus a copy of this correspondence. Additionally, your appeal correspondence should include a statement as to why you believe your appeal should be granted. I recommend that your appeal letter and its envelope both bear the notation, "Freedom of Information Act Appeal."

In the alternative, should you agree to await a substantive response, be advised that your right to appeal any denial of information, in whole or in part, will not be prejudiced in any way. In the event of a partial or total denial, you will be afforded 60 calendar days from the date of denial in which to appeal.

Questions concerning this action should be directed to Ms. Your Name of my staff at (703) 614-4008. Please reference the file number above when corresponding on this matter. I am the official responsible for this determination.

Sincerely,

TERESA D. ROSS

Head, FOIA/PA Section (ARSF)
Security Programs & Info Mgmt Branch
Administration & Resource Mgmt Division